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**UNITED STATES DISTRICT COURT  
DISTRICT OF NEVADA**

ANNA LOVELESS,

**Plaintiffs,**

Vs.

CASE NO.: 2:21-cv-00536-APG-MDC

WALMART, INC,

**Defendant.**

**PLAINTIFF'S MOTION TO EXTEND DEADLINE  
TO SUBMIT JOINT PRETRIAL ORDER  
(FIRST REQUEST)**

Pursuant to LR IA 6-1 and LR 26-3 and FRCP 26, plaintiff, by and through her counsel respectfully submit this motion for an extension of time to submit the Joint Pre-Trial Order by a period of fourteen (14) days. No other extension or continuance is sought by this motion. This is the first request for such an extension and follows the court's order of February 26, 2024 (Doc. No. 53) setting March 15, 2024 as the Joint Pre-Trial Order filing date.

Dated this 15<sup>th</sup> day of March 2024.

STOVALL & ASSOCIATES

*/s/ Ross Moynihan*

ROSS H. MOYNIHAN, ESQ.  
Nevada Bar No. 11848  
2301 Palomino Lane  
Las Vegas, Nevada 89107  
Attorney for Plaintiff

1                   **DECLARATION OF COUNSEL IN SUPPORT OF MOTION**

2                   Ross Moynihan, Esq. declares and states as follows:

3                   1. I am counsel for the plaintiff in this matter.

4                   2. The joint pretrial order filing date was set for February 12, 2024, which the parties  
5                   missed.

6                   3. The court then ordered the parties to file the joint pre-trial order by March 15,  
7                   2024.

8                   4. By this motion, I request a further 14 days for the parties to file the joint pre-trial  
9                   order.

10                  5. The reason for the requested extension on the plaintiff's side is due to a series of  
11                  illnesses I suffered from October 2023 to January 2024, and following that, a leave of absence  
12                  from work that I was required to take throughout the month of February 2024.

13                  6. Specifically related to the illnesses, from October 2023 to January 2024, I  
14                  suffered a series of respiratory infections that caused me to be absent from work for several  
15                  weeks throughout the months of October, November, and December, and caused me to have to  
16                  reschedule work in other cases into the months of December 2023 and January 2024, which is all  
17                  work that would have otherwise been completed by the end of 2023. This was then followed by  
18                  my leave of absence in February 2024. Both events resulted in my missing the joint pretrial order  
19                  date and have caused my need to request a further extension from the court.

20                  7. I attempted by email and telephone to communicate with defense counsel  
21                  throughout the morning and afternoon of March 15, 2024 regarding the joint pretrial order but  
22                  was unable to reach either lawyer working on his case for defense.

8. I currently have a working draft of the pretrial order but it, of course, requires the defendant's input before it can be completed. The additional time requested is so that the parties can work together and complete the document.

26. This request is not made for the purpose of delaying these proceedings.

27. I declare under penalty of perjury pursuant to the laws of the state of Nevada that the foregoing is true and correct.

Executed on this 15<sup>th</sup> day of March 2024.

/s/ Ross Moynihan

ROSS MOYNIHAN, ESQ.  
Nevada Bar No. 11848

## **MEMORANDUM OF POINTS AND AUTHORITIES**

#### **1. Discovery Completed to Date**

Discovery is now closed. The parties exchanged initial and supplemental disclosures. The parties propounded written discovery in the form of interrogatories, admissions, and requests for production of documents. The parties engaged in deposition discovery and exchanged initial and rebuttal expert disclosures.

## **2. Discovery to Be Completed**

None.

### **3. Reasons Why Counsel Requests the Extension to Submit the Pre-trial Order**

For the sake of brevity, plaintiff incorporates herein by this reference the above declaration of counsel, which plaintiff submits presents good cause for the extension of the instant deadline.

1           **4. Proposed Schedule for Completion of Outstanding Discovery**

2           Proposed Consolidated Pre-Trial Order           March 29, 2024

3           Dated this 15<sup>th</sup> day of March 2024.

4           STOVALL & ASSOCIATES

5           */s/ Ross Moynihan*

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7           ROSS H. MOYNIHAN, ESQ.  
8           Nevada Bar No. 11848  
9           2301 Palomino Lane  
10          Las Vegas, Nevada 89107  
11          Attorney for Plaintiff

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14           **ORDER**

15           **IT IS SO ORDERED.**

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19           **Maximiliano D. Couvillier III**  
20          United States Magistrate Judge  
21          Date: March 26, 2024

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23           **CERTIFICATE OF SERVICE**

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25          I hereby certify that on the 15<sup>th</sup> day of March 2024 I caused the foregoing motion to be  
26          served on the parties in this case through the court's electronic filing system.

27           */s/ Ross Moynihan*

28           An employee of Stovall & Associates